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Docket No.: M4065.0957/P957
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Joseph F. Brooks et al.

Application No.: 10/725,500

Confirmation No.: 3970

Filed: December 3, 2003

Art Unit: 2818

For: ELECTRODE STRUCTURES AND
METHOD TO FORM ELECTRODE
STRUCTURES THAT MINIMIZE
ELECTRODE WORK FUNCTION
VARIATION

Examiner: Quoc D. Hoang

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed April 7, 2006, Applicant hereby provisionally elect the claims of species I (claims 21-29) for continued examination with traverse.

Applicants election is made with traverse. As explained in the Election Requirement, "upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim." Applicant submits that at least claim 21 is a generic claim in that all of the other claims include all the

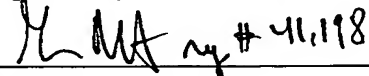
limitations of claim 21. Thus, upon allowance of claim 21, each of the other claims in the application must be considered.

Therefore, Applicant disagrees with the Election Requirement's position that species II (claims 30-40), III (claims 41-52), and IV (claims 53-59) are directed to distinct inventions based on the reasoning provided in the Election Requirement.

An action on the merits of all the pending claims and a Notice of Allowance thereof are respectfully requested.

Dated: May 4, 2006

Respectfully submitted,

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